



Docket No. 4439-4041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **Kazuaki ISHIHARA and Hisashi YAMAMOTO**

Group Art Unit: TBA

Serial No.: 10/574,056

Examiner: TBA

Filed: March 29, 2006

For: **METHOD FOR PRODUCING ESTER CONDENSED PRODUCT**
TRANSMITTAL UNDER 37 CFR 1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is/are the following items under 37 CFR 1.56 in the above-identified application:

- ☒ Notification of Transmittal of Copies of Translation of the International Preliminary Report on Patentability (Form PCT/IB/338) and Form PCT/IB/373 and Form PCT/ISA/237 (5 pages total)
- ☒ Please charge any required fees to Deposit Account No. **13-4500**, Order No. **4439-4041**.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. **13-4500**, Order No. **4439-4041**. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: July 17, 2006

By: _____

Kenneth H. Sonnenfeld / Michael A. Willis
Reg. No. 33,285 / Reg. No. 53,913

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07-19-06

IFW

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kazuaki ISHIHARA and Hisashi YAMAMOTO
Serial No.: 10/574,056 ✓
Filed: March 29, 2006
For: METHOD FOR PRODUCING ESTER CONDENSED PRODUCT

Group Art Unit: TBA

Examiner: TBA

EXPRESS MAIL CERTIFICATE

Mail Stop Box Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 825704308 US
Date of Deposit: July 17, 2006

I hereby certify that the following attached paper(s) and/or fee:

1. Transmittal Under 37 CFR 1.56 (1 page + duplicate)
2. Notification of Transmittal of Form PCT/IB/338 and Form PCT/IB/373 and Form PCT/ISA/237 (5 pages)
3. Return Receipt Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michael Willis

(Typed or printed name of person mailing paper(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

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PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

HIROTA, Masanori
3F, Wakabayashi Building
8-5, Akasaka 2-chome
Minato-ku, Tokyo 107-0052
JAPON



Date of mailing (day/month/year) 29 June 2006 (29.06.2006)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference B12-04PCT	
International application No. PCT/JP2004/014474	International filing date (day/month/year) 01 October 2004 (01.10.2004)
Applicant JAPAN SCIENCE AND TECHNOLOGY AGENCY et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Masashi Honda

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference B12-04PCT	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/014474	International filing date (<i>day/month/year</i>) 01 October 2004 (01.10.2004)	Priority date (<i>day/month/year</i>) 02 October 2003 (02.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant JAPAN SCIENCE AND TECHNOLOGY AGENCY			

- This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
- This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
- This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
- The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	Date of issuance of this report 20 June 2006 (20.06.2006)
	Authorized officer Masashi Honda Telephone No. +41 22 338 70 10

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference B12-04PCT		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/JP2004/014474	International filing date (day/month/year) 01.10.2004	Priority date (day/month/year) 02.10.2003	
International Patent Classification (IPC) or both national classification and IPC			
Applicant JAPAN SCIENCE AND TECHNOLOGY AGENCY			

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/014474

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/014474

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-28	YES
	Claims		NO
Inventive step (IS)	Claims	1-28	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-28	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP, 2003-40838, A (Nippon Shokubai Co., Ltd.), 13 February, 2003 (13.02.03)
Document 2: JP, 2002-121170, A (Japan Science and Technology Corp.), 23 April, 2002 (23. 04.02)
Document 3: JP, 7-291898, A (Japan Energy Corp.), 7 November, 1995 (07.11.95)

The subject matters of claims 28 appear to be novel and to involve an inventive step, since they are not disclosed in any the documents cited in the ISR.

Especially, none of the documents discloses applying a catalyst, which contains a zirconium (IV) compound and/or a hafnium (IV) and an iron (III) compound and/or a gallium (III) compound, in the condensation reaction for producing an ester.